

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

RANDALL HAZE BRICE  
TX-1322215-G

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DOCKETED COMPLAINT NO.  
06-157

**AGREED FINAL ORDER**

On this the 17<sup>TH</sup> day of OCTOBER, 2008, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Randall Haze Brice (Respondent).

In order to conclude this matter, Randall Haze Brice neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

**FINDINGS OF FACT**

1. Respondent Randall Haze Brice is a Texas state certified general real estate appraiser, holds certification number TX-1322215-G, and has been certified by the Board during all times material to the above-noted complaint case.
2. On or about April 20<sup>th</sup>, 2006, Respondent appraised real property located at 122 Patricia Street, Junction, Texas 76849 ("the property").
3. On or about June 14<sup>th</sup>, 2006, the Complainants, Janice C. Jacob and William B. Jacob, filed a complaint with the Board. They alleged that Respondent had produced a real estate appraisal report for the property that was incorrect.
4. On or about June 19<sup>th</sup>, 2006 the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Respondent's response to the complaint was received.
5. Respondent violated TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 153.20(a)(3) and 155.1(a) by the following acts or omissions which did not conform to USPAP in effect at the time of the appraisal report for the property.
  - a) Respondent failed to disclose the appraiser trainee who provided significant real property appraisal assistance in his report on the property;

6. Respondent violated 22 TEX. ADMIN. CODE § 153.20(a)(13) by failing to actively and diligently supervise an appraiser trainee that he was sponsoring and who participated in the appraisal report for the property.

### CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.

2. Respondent violated the following provisions of USPAP as prohibited by TEX. OCC. CODE § 1103.405 and 22 TEX. ADMIN. CODE §§ 155.1(a) and 153.20(a)(3): USPAP Standards: 2-2(b)(vii) and 2-3;

3. Respondent violated 22 TEX. ADMIN. CODE § 153.20(a)(13) by not supervising an appraiser trainee he was sponsoring.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that the Respondent:

- a. Shall pay to the board an administrative penalty of \$250.00;
- b. Shall comply with all provisions of the Act, the Rules of the Board, and USPAP in the future, or be subjected to further disciplinary action.


Payment of the **ADMINISTRATIVE PENALTY** must be by certified funds, and must be tendered within **TWENTY DAYS** of the date of this Agreed Final Order.

Failure to timely comply with any of the terms of this Final Agreed Order shall result in initiation of a contested case proceeding against Respondent and after opportunity for a hearing, possible imposition of disciplinary sanctions against Respondent as provided for by TEX. OCC. CODE § 1103.518.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published in the Board's newsletter and/or on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 7<sup>th</sup> day of October, 2008.

  
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RANDALL HAZE BRICE

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 7 day of October, 2008, by RANDALL HAZE BRICE, to certify which, witness my hand and official seal.

[Signature]  
Notary Public Signature

Bill O. Bull  
Notary Public's Printed Name



Signed by the Commissioner this 17<sup>TH</sup> day of OCTOBER, 2008.

[Signature]  
Timothy K. Irvine, Commissioner  
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 17<sup>TH</sup> day of OCTOBER, 2008.

[Signature]  
Clinton P. Sayers, Chairperson  
Texas Appraiser Licensing and Certification Board